NATURAL RESOURCES DEFENSE COUNCIL

Testimony of Barry Nelson
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Chairman Radanovich and members of the subcommittee, thank you for the opportunity to appear before you today. My name is Barry Nelson and I am a Senior Policy Analyst with the Natural Resources Defense Council, where I am the co-director of NRDC's Western Water Project. I have been active in Bay-Delta issues for twenty years. For the past fifteen years, I have been deeply involved in collaborative Bay-Delta efforts such as the CALFED Bay-Delta program. For much of this time, I have been involved in issues related to the stability of the Sacramento-San Joaquin Delta.

I am particularly pleased to testify before you today regarding the long-term stability of the Delta. This issue has been long overlooked. The Delta is one of the state's most important ecosystems. It is also important to many stakeholders and tens of millions of Californians who drink Delta water. I will close my testimony with recommendations regarding a long-term plan for the Delta and additional steps that must be taken to protect the Delta and other California water supplies in the future.

Two events in the past year have drawn attention to this issue. First, Dr. Jeff Mount of the University of California at Davis has studied the Delta extensively. He has paid particular attention to the ongoing subsidence of Delta islands that are already well below sea level and to predicted sea level rise, as a result of climate change. Dr. Mount has determined that during the coming half century, as a result of these changes, the Delta is vulnerable to a large-scale failure of multiple levees. Large-scale levee failure would be a disaster for farmers, highways and utility infrastructure, water supply, the Delta ecosystem and Delta residents. Hurricane Katrina is the second event that has drawn attention to the vulnerability of California's Delta.

Historically, it has been easy to overlook the Delta. California's more glamorous ecosystems – Yosemite, beaches, the redwoods and the desert -- have garnered far more attention. The Delta was once a 1,000-square-mile tule marsh. Most of this marsh is now gone, but the Delta remains vitally important. The Delta supports the biggest salmon run south of the Columbia River and a major recreational fishery. Every winter

its islands fill with waterfowl. Four hundred thousand Californians call it home. More than 20 million Californians rely on it for a portion of their water supply.

It is important to note that, in addition to the threat to its stability, the Delta is threatened by another looming crises -- the collapse of its ecosystem. Delta smelt, striped bass and other fish have reached their lowest ebb in history. This decline is discussed further in an article attached to my testimony. A recent Department of Interior biological opinion cites water project operations as a major cause. It is not a coincidence that total water pumped from the Delta has been the highest ever in three of the past five years. Recently, scientists believe invasive species and pollution may also be playing a role. A small nudge could be enough to push the smelt – a bellwether for the ecosystem – over the brink of extinction. This collapse also has major implications for the Delta economy, which benefits greatly from tourism and recreational fishing.

It is important to note both of these crises, because a successful strategy for the Delta must address both ecosystem health and system vulnerability.

A few say that these crises call for reconsidering the Peripheral Canal. If the canal were built, the state's two big water projects – the Central Valley Project and State Water Project – could bypass the Delta and pump water directly from the Sacramento River. Voters rejected the canal in 1982, fearing a water grab and disaster for the Delta and San Francisco Bay. Successive governors and CALFED, the state-federal program to restore the Delta, have rejected the canal as well.

Concerns about the Peripheral Canal are well founded. If it were built, there would no longer be any physical imperative to release water to the Delta and Bay. The Delta's fate would be determined by regulations and promises from state and federal agencies. Water exporters are already working to weaken legal protections for the Delta and the Sacramento River.

Building the canal would do nothing to improve Delta stability. In fact it would eliminate Southern California's major motive to protect it. Today, the Southland – with the majority of the state's voters and taxpayers – values a healthy Delta because one fifth of its drinking water supply depends on it. With a Peripheral Canal, it would not. In short, a Peripheral Canal could seal the Delta's fate. The implications for Delta residents, highways, and other infrastructure, as well as the health of the estuary, could be very serious.

Finally, the canal would take decades and perhaps tens of billions of taxpayer dollars to build. Delta water users are unwilling to pay for this project. We shouldn't consider an investment on this scale until elected officials and agencies develop a Delta solution that works. It's time to tackle problems that agencies have ducked for decades.

The CALFED program has recognized the need to protect the stability of the Delta. Indeed, reducing system vulnerability was one of the four purposes of the CALFED program. However, this element of the CALFED program has, until recently, received

far less attention than others. CALFED agencies are only now beginning to tackle the long-term concerns identified by Dr. Mount. As you may know, Governor Schwarzenegger has recently launched several ambitious evaluations of the CALFED program. In addition, the legislature recently passed and the Governor signed AB 1200, which will start a process of examining these Delta stability issues. NRDC and other environmental and fishing organizations have recommended that, as CALFED is reshaped, it should include particular focus on the development of a long-term plan for the Delta.

NRDC believes that a successful long-term Delta plan must accomplish five things:

1) Address the problems of diversions, pollution and invasive species to restore the health of the Delta and its fisheries, including stronger standards that hold up under the attacks of water exporters. The protections in the CALFED ROD for the Delta are simply not working.

2) Effectively address the stability of Delta islands. Maintaining them all may be impossible. Returning some of them to marsh could help the environment and reduce the challenge of maintaining levees. Financing this program will be a challenge. Delta water exporters, who benefit from these levees, should help fund their maintenance.

3) Reduce the risks to Californians who rely on Delta water by reducing their dependence on it, through conservation, water recycling and more. Increasing Delta diversions further would exacerbate the estuary's decline and make California even more vulnerable to disruptions in the Delta.

4) Stop sprawl in the Delta. Building homes on below-sea-level Delta islands is putting more Californians at risk.

5) Learn from past mistakes. Any attempt to shortcut efforts to save the Delta and build a Peripheral Canal will waste precious time and energy.

This effort will require collaboration and leadership.

Finally, as Dr. Mount correctly concluded, one of the major threats to the future of the Delta is future sea level rise, which is anticipated to result from climate change. In fact, over the past century, sea level in the Bay has already begun rising. This, however, is only one of the many anticipated water related impacts of climate change. For example, the new California water plan recognizes the potential for climate change to reduce existing snowpack, reducing water supplies for all who rely on the Sierra. One of the attachments to this testimony is a summary of the science related to climate change. As California's governor said recently: "The debate is over…the time for action is now." Governor Schwarzenegger recognized the serious potential impacts of climate change on California, and its water supply last summer when he stated that: "Global warming threatens California's water supply, public health, agriculture, coastlines and forests -

our entire economy and way of life. We have no choice but to take action to reduce greenhouse gas emissions." The severity of the potential impacts of uncontrolled climate change on the Delta further indicate the need to address this problem head on. To reduce these future impacts, the state is developing an ambitious program to reduce greenhouse gas emissions. However, the state cannot succeed alone.

During the coming year, we anticipate that Congress will have an opportunity to pass mandatory limits on global warming pollution. Last June, the Senate passed a resolution calling for such mandatory limits. We are hopeful that rising awareness of the potential impacts of climate change on the Delta and water supplies will help lead to Congressional action in 2006. In short, the most important action that Congress can take to protect the stability of the Delta over the long term is to address directly the cause of climate change – the emission of climate changing pollution.

The Delta ecosystem is enormously important. Tens of millions of Californians have a stake in its future. It is time for us to act to preserve it – for the future health of all of California. Thank you.